

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

DAVID ALTENBURG,)	
)	
Petitioner,)	
)	
v.)	Docket No. 2:21-cr-00058-NT
)	2:23-cv-00398-NT
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

**ORDER AFFIRMING THE RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On May 13, 2024, the United States Magistrate Judge filed with the Court, with copies to the parties, his Recommended Decision (ECF No. 102) on the Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 88). The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. An evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2255 Cases, and the Petitioner's motion for habeas relief under 28 U.S.C. § 2255 is **DENIED**. It is further **ORDERED** that no certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases shall issue because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 10th day of June, 2024.